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OFFICE OF PETITIONS

In re Application of :
Rajan K. Vempati :
Application No. 09/911,021 : DECISION GRANTING PETITION
Filed: 20 July, 2001 :
Attorney Docket No. 0778CG.03557 :

This is a decision on the "Request for Correction of Filing Receipt" filed on 17 September, 2001, which is treated as a petition under 37 CFR 1.10(c) requesting that the above-identified application be accorded a filing date of 20 July, 2001, rather than the presently accorded filing date of 24 July, 2001.

Petitioner alleges that the application was deposited in Express Mail service on 20 July, 2001. Although petitioner has not provided a copy of the Express Mail label, a search of the USPTO USPS Express Mail database reveals that a mailing bearing Express Mail Label No. EL729730115US (the same Express Mail number found on the itemized transmittal sheet accompanying the original application papers located in the official file) was accepted by the USPS (i.e. given a "date-in" of) 20 July, 2001.

In view of the above, the petition is granted. No petition fee is required and none has been charged.

Petitioners should note that the requirement for a certificate of mailing by "Express Mail" has been waived by the Commissioner,¹

The application is being forwarded to the Office of Initial Patent Examination for correction of the filing date to **20 July, 2001**.

¹See 1174 O.G. Pat. Of. 92 (May 16, 1995).

Telephone inquiries specific to this matter should be directed to the undersigned at (703) 308-6918.

A handwritten signature in black ink, appearing to read "D Wood", with a long horizontal stroke extending to the right.

Douglas I. Wood
Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy